

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

COURTNEY L.<sup>1</sup>,

Plaintiff,

v.

ACTION NO. 2:20cv174

ANDREW SAUL,  
Commissioner of Social Security,

Defendant.

REMAND ORDER

This matter comes before the court on Plaintiff's, Courtney L. ("Plaintiff") Motion for Summary Judgment and Brief in Support. ECF Nos. 16, 17. Defendant, Commissioner of the Social Security Administration ("Commissioner"), filed a Motion for Summary Judgment and Memorandum in Support on October 30, 2020. ECF Nos. 18, 19. Plaintiff's Reply was filed on November 13, 2020. ECF No. 20.

On September 8, 2020, this matter was referred to United States Magistrate Judge Douglas E. Miller, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72(b) of the Federal Rules of Civil Procedure, to conduct necessary hearings, including evidentiary hearings, if necessary, and to

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<sup>1</sup> The Committee on Court Administration and Case Management of the Judicial Conference of the United States had recommended that, due to significant privacy concerns in social security cases, federal courts should refer to claimants only by their first names and last initials.

submit to the undersigned district judge proposed finds of fact, if applicable, and recommendations for the disposition of the matter.

The United States Magistrate Judge's Report and Recommendation ("R&R"), was filed on May 5, 2021. ECF No. 21. The R&R recommends that Plaintiff's Motion for Summary Judgment be granted, the Commissioner's Motion for Summary Judgment be denied, the final decision of the Commissioner be vacated, and this matter be remanded for further proceedings consistent with the recommendation.


By copy of the R&R, the parties were advised of their right to file written objections to the findings and recommendations made by the Magistrate Judge within fourteen (14) days of the date of service of the R&R to the objecting party. See id. at 30-31. The court has received no objections to the R&R, and the time for filing same has expired.

The court, having reviewed the record in its entirety, does hereby **ADOPT AND APPROVE IN FULL** the findings and recommendations set forth in the Magistrate Judge's thorough and well-reasoned R&R, filed on May 5, 2021. ECF No. 21. Accordingly, Plaintiff's Motion for Summary Judgment is **GRANTED**, the Commissioner's Motion for Summary Judgment is **DENIED**, the final decision of the Commissioner is **VACATED**, and this matter

is hereby **REMANDED** to the Commissioner for further proceedings consistent with the R&R filed May 5, 2021.

The Clerk is **DIRECTED** to send a copy of this Remand Order to counsel for the Plaintiff and the Commissioner.

**IT IS SO ORDERED.**

/s/   
Rebecca Beach Smith  
Senior United States District Judge

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REBECCA BEACH SMITH  
SENIOR UNITED STATES DISTRICT JUDGE

May 21, 2021